

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE DIGITAL TURBINE, INC.
DERIVATIVE LITIGATION

)
) Case. No. 1:22-cv-01429-WCB
) (Consolidated)

**STIPULATION AND ORDER OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs John Witt and Mark Jameson (“Plaintiffs”), Individual Defendants William Stone, Barrett Garrison, Robert Deutschman, Roy H. Chestnutt, Jeffrey Karish, Holly Hess Groos, Mohan S. Gyani, and Michelle Sterling (“Individual Defendants”), and Nominal Defendant Digital Turbine, Inc. (“Digital Turbine”) (collectively, “Defendants” and, with Plaintiffs, the “Parties”) hereby stipulate that this action be dismissed without prejudice as to all claims and causes of action, with each party bearing that party’s own attorneys’ fees and costs.

Notice to shareholders of this stipulation of voluntary dismissal is not required under Federal Rule of Civil Procedure 23.1(c) because the dismissal is without prejudice and no compensation in any form has passed directly or indirectly from any of the Defendants to the Plaintiffs or Plaintiffs’ attorneys, and no promise to give any such compensation has been made.

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November 25, 2024

SO ORDERED this 25th day of November, 2024.



The Honorable William C. Bryson